



March 16, 2005

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## ENGROSSED SENATE BILL No. 12

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DIGEST OF SB 12 (Updated March 15, 2005 10:57 am - DI 103)

**Citations Affected:** IC 4-13; IC 4-20.5.

**Synopsis:** "Code Adam" program to locate missing children. Requires the department of administration to adopt rules to establish and implement a "Code Adam" protocol for lost or missing children in certain state buildings.

**Effective:** July 1, 2005.

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**Zakas, Breaux, Bray, Long, Howard,  
Young R Michael, Lanane, Waltz,  
Bowser, Waterman, Steele**

(HOUSE SPONSORS — WALORSKI, WELCH, DAVIS, BORDERS)

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January 4, 2005, read first time and referred to Committee on Rules and Legislative Procedure.

January 6, 2005, amended; reassigned to Committee on Corrections, Criminal, and Civil Matters.

January 27, 2005, reported favorably — Do Pass.

January 31, 2005, read second time, ordered engrossed.

February 1, 2005, engrossed.

February 3, 2005, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

March 7, 2005, read first time and referred to Committee on Public Safety and Homeland Security.

March 15, 2005, reported — Do Pass.

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ES 12—LS 6226/DI 13+



March 16, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## ENGROSSED SENATE BILL No. 12

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A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 4-13-1-4 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2005]: Sec. 4. The department shall, subject to  
3 this chapter, do the following:

4 (1) Execute and administer all appropriations as provided by law,  
5 and execute and administer all provisions of law that impose  
6 duties and functions upon the executive department of  
7 government, including executive investigation of state agencies  
8 supported by appropriations and the assembly of all required data  
9 and information for the use of the executive department and the  
10 legislative department.

11 (2) Supervise and regulate the making of contracts by state  
12 agencies.

13 (3) Perform the property management functions required by  
14 IC 4-20.5-6.

15 (4) Assign office space and storage space for state agencies in the  
16 manner provided by IC 4-20.5-5.

17 (5) Maintain and operate the following for state agencies:

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- 1 (A) Central duplicating.
- 2 (B) Printing.
- 3 (C) Machine tabulating.
- 4 (D) Mailing services.
- 5 (E) Centrally available supplemental personnel and other
- 6 essential supporting services.
- 7 (F) Information services.
- 8 (G) Telecommunication services.
- 9 The department may require state agencies to use these general
- 10 services in the interests of economy and efficiency. The general
- 11 services rotary fund, the telephone rotary fund, and the data
- 12 processing rotary fund are established through which these
- 13 services may be rendered to state agencies. The budget agency
- 14 shall determine the amount for each rotary fund.
- 15 (6) Control and supervise the acquisition, operation, maintenance,
- 16 and replacement of state owned vehicles by all state agencies. The
- 17 department may establish and operate, in the interest of economy
- 18 and efficiency, a motor vehicle pool, and may finance the pool by
- 19 a rotary fund. The budget agency shall determine the amount to
- 20 be deposited in the rotary fund.
- 21 (7) Promulgate and enforce rules relative to the travel of officers
- 22 and employees of all state agencies when engaged in the
- 23 performance of state business. These rules may allow
- 24 reimbursement for travel expenses by any of the following
- 25 methods:
- 26 (A) Per diem.
- 27 (B) For expenses necessarily and actually incurred.
- 28 (C) Any combination of the methods in clauses (A) and (B).
- 29 The rules must require the approval of the travel by the
- 30 commissioner and the head of the officer's or employee's
- 31 department prior to payment.
- 32 (8) Administer IC 4-13.6.
- 33 (9) Prescribe the amount and form of certified checks, deposits,
- 34 or bonds to be submitted in connection with bids and contracts
- 35 when not otherwise provided for by law.
- 36 (10) Rent out, with the approval of the governor, any state
- 37 property, real or personal:
- 38 (A) not needed for public use; or
- 39 (B) for the purpose of providing services to the state or
- 40 employees of the state;
- 41 the rental of which is not otherwise provided for or prohibited by
- 42 law. Property may not be rented out under this subdivision for a

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term exceeding ten (10) years at a time. However, if property is rented out for a term of more than four (4) years, the commissioner must make a written determination stating the reasons that it is in the best interests of the state to rent property for the longer term. This subdivision does not include the power to grant or issue permits or leases to explore for or take coal, sand, gravel, stone, gas, oil, or other minerals or substances from or under the bed of any of the navigable waters of the state or other lands owned by the state.

(11) Have charge of all central storerooms, supply rooms, and warehouses established and operated by the state and serving more than one (1) agency.

(12) Enter into contracts and issue orders for printing as provided by IC 4-13-4.1.

(13) Sell or dispose of surplus property under IC 5-22-22, or if advantageous, to exchange or trade in the surplus property toward the purchase of other supplies, materials, or equipment, and to make proper adjustments in the accounts and inventory pertaining to the state agencies concerned.

(14) With respect to power, heating, and lighting plants owned, operated, or maintained by any state agency:

(A) inspect;

(B) regulate their operation; and

(C) recommend improvements to those plants to promote economical and efficient operation.

(15) Administer, determine salaries, and determine other personnel matters of the department of correction ombudsman bureau established by IC 4-13-1.2-3.

**(16) Adopt rules to establish and implement a "Code Adam" safety protocol as described in IC 4-20.5-6-9.**

SECTION 2. IC 4-20.5-6-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 9. (a) The department shall adopt rules under IC 4-22-2 to establish and implement a "Code Adam" safety protocol at the buildings that:**

**(1) the department:**

**(A) maintains;**

**(B) equips; or**

**(C) operates;**

**under section 2(b) of this chapter; and**

**(2) are open to the public.**

**(b) Rules adopted under this section must include the following:**

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- 1 (1) Procedures for a state employee to follow when a parent,  
2 teacher, or guardian notifies a state employee that a child is  
3 lost or missing. The procedures must include:  
4 (A) information that a state employee is to obtain from the  
5 parent, teacher, or guardian concerning the description of  
6 the lost or missing child; and  
7 (B) the person in the department the state employee is to  
8 contact about a lost or missing child.  
9 (2) Procedures for the department contact person described  
10 in subdivision (1)(B) to follow after being notified of a lost or  
11 missing child.  
12 (3) Procedures for department employees to search the  
13 building in which the lost or missing child is presumed to be  
14 located.  
15 (4) Procedures for department employees to contact law  
16 enforcement if the lost or missing child is not found.

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## COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 12, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Corrections, Criminal, and Civil Matters.

(Reference is to SB 12 as introduced.)

GARTON, Chairperson

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SENATE MOTION

Madam President: I move that Senator Bray be added as coauthor of Senate Bill 12.

ZAKAS

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SENATE MOTION

Madam President: I move that Senator Breaux be added as second author of Senate Bill 12.

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SENATE MOTION

Madam President: I move that Senators Long, Howard, Young R Michael, Lanane, Walts, Bowser, Waterman and Steele be added as coauthors of Senate Bill 12.

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## COMMITTEE REPORT

Madam President: The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred Senate Bill No. 12, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 12 as printed January 7, 2005.)

LONG, Chairperson

Committee Vote: Yeas 10, Nays 0.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Safety and Homeland Security, to which was referred Senate Bill 12, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

RUPPEL, Chair

Committee Vote: yeas 8, nays 0.

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